

Enforcement Notice One

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (as amended) (TCPA 1990)

ENFORCEMENT NOTICE

UNAUTHORISED DEVELOPMENT

Issued by: DORSET COUNCIL (the Council)

1. Enforcement notice

This is a formal notice issued by the Council because it appears to it that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the TCPA 1990, at the Land. It is considered expedient to issue this notice, having regard to the provisions of the development plan and to all other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. The land to which the notice relates

Land known as **Anchor Paddock, Batchelors Lane, Holtwood, Holt, BH21 7DS** shown edged red on the attached plan (the Land).

3. The Breach of Planning Control Alleged

Within the subject planning unit edged in purple, and pursuant to s171A (1) (a):

- 1** without planning permission, the construction of single storey rear extensions
- 2** without planning permission, the construction of a dormer extension

4. Reasoning for Issuing the Notice

It appears to the Council that the development referred to above has occurred within the past 4 years, and pursuant to s171B (1) of the TCPA 1990, is not immune from enforcement action.

The land and unauthorised development lie within open countryside and the South East

Dorset Green Belt. In general, the essential characteristic of green belt is openness and permanence. The development is considered to be inappropriate development which is by definition harmful to the Green Belt and should not be approved except in very special circumstances. No special circumstances have been identified; proposals have been consistently been refused planning permission.

The taking of enforcement action must be assessed against development (local) plan, and any other material considerations [s172 (1) (b)].

Local Plan Policy.

The relevant policies in respect of the Land and the breach alleged are –

- Christchurch and East Dorset Local Plan - Part 1 (Core Strategy) adopted April 2014;
- Policy KS1: Presumption in Favour of Sustainable Development
- Policy KS2: Settlement Hierarchy
- Policy KS3: Green Belt
- Policy ME1: Safeguarding Biodiversity and Geodiversity
- Policy HE2: Design of new development

Other Material Considerations

- National Planning Policy Framework 2023 [NPPF] – in particular paragraph 11 and chapters 5, 9, 12,13 and 15.
- Planning Practice Guidance [PPG] (since 2014 as amended)
- Countryside Design Summary
- East Dorset Landscape Character Assessment (Woodlands)

Key Local Constraints

- Green Belt

Planning Assessment

Principle of Development

The site is outside any settlement identified in the Christchurch & East Dorset Local Plan, Part 1 Core Strategy 2014 (CS) under Policy KS2.

As the site falls outside of the settlement known as Holt, it falls under the ‘Hamlets’ category within local policy KS2 where ‘development would not be allowed unless it was functionally required to be in the rural area’.

- The building has been significantly extended, beyond what would be acceptable as proportionate additions within the Green Belt set out in the exceptions in paragraphs 154-155 of the NPPF.
- The development results in harm to the Green Belt openness and no very special circumstances have been identified which would outweigh the harm by reason of inappropriateness and loss of openness.
- Policy HE2 – requires that development should be compatible with or improve its

surroundings in relation to (inter alia) architectural style, scale, bulk and visual impact. The box design and massing of the dormer appears incongruous and overbearing compared to the dwelling. Contrary to Policy HE2 and Section 12 of the NPPF 'Achieving well designed and beautiful places'.

- The extensions to the dwelling are not immune from enforcement action by reason of time (under construction 29 July 2020).

It appears to the Council that planning conditions would not overcome the objections to the development.

5. What You Are Required to Do:

In respect of the development and use of the land outlined in purple on the plan: Permanently:

1. Demolish and remove the rear extensions identified on the plan in Pink;
2. Demolish and remove the dormer extension identified on the attached plan identified in hatched purple and return the height of the roof of Anchor Paddock to its original level in 2019;
3. Remove all building waste materials from the Land;

6. Time for Compliance

6 months from the date the notice takes effect.

7. When this notice takes effect

This Notice takes effect on 4th September 2024 unless an appeal is made against it beforehand.

Dated: 24th July 2024

Signed



Mike Garrity
Head of Planning
Economic Growth and Infrastructure

On behalf of:

Dorset Council, County Hall, Colliton Park, Dorchester, Dorset, DT1 1XJ

Case officer: Jane Meadows

Email address: planningenforcementteameast@dorsetcouncil.gov.uk

